

S. AMANDA MARSHALL, OSB #95347

United States Attorney

District of Oregon

AMY E. POTTER

Amy.potter@usdoj.gov

Assistant United States Attorney

405 E. 8th Avenue, Ste 2400

Eugene, Oregon 97401-2708

United States Attorney's Office

Telephone: 541-465-6356

Facsimile: 541-465-6917

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA,

v.

**COMPLAINT IN REM
FOR FORFEITURE**

**62326 OLIVE BARBER ROAD, COOS
BAY, COOS COUNTY, STATE AND
DISTRICT OF OREGON, REAL
PROPERTY WITH BUILDINGS,
APPURTENANCES, AND
IMPROVEMENTS, *in rem*,**

Defendant.

Plaintiff, United States of America, by S. Amanda Marshall, United States Attorney for the District of Oregon, and Amy E. Potter, Assistant United States Attorney, for its complaint *in rem* for forfeiture, alleges:

COUNT ONE

I.

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 21 U.S.C. § 881; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Defendant, *in rem*, 62326 Olive Barber Road is described as 1.73 acres of land located on the north side of Olive Barber Road, more particularly described as follows:

Beginning at a point on the West boundary of the NE 1/4 of the NW 1/4 of Section 13, Township 26 South, Range 13 West of the Willamette Meridian, Coos County, Oregon 803.24 feet North of the iron pipe at the Southwest corner of said NE 1/4 of the NW 1/4; thence North 0° 10' West 200 feet to an iron pipe; thence North 88° 41' East 200 feet; thence South 0° 10' East 407.8 feet, more or less, to the North boundary of a 25 foot roadway; thence North 89° 04' West 150 feet; thence North 62° 43' West 56.34 feet; thence North 0° 10' West along the East boundary of a 25 foot roadway 150 feet, more or less, to a point North 88° 41' East 25 feet from the point of beginning; thence South 88° 41' West to the point of beginning.

is now and during the pendency of this action will be within the jurisdiction of this Court.

III.

Defendant, *in rem*, 62326 Olive Barber Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and improvements, represents real property that was used or intended to be used, in any manner or part, to commit, or to facilitate a transaction in violation of 21 U.S.C. § 801, *et. seq.*, and is forfeitable to the United States pursuant to the provisions of 21 U.S.C. § 881(a)(7), as more particularly set forth in the declaration of Larry Gloth, Senior Inspector, Deputy U.S. Marshal, United States Marshals Service, marked as Exhibit A, attached and fully incorporated herein by this reference.

COUNT TWO

I.

Count One, paragraph I is re-alleged herein.

II.

Count One, paragraph II is re-alleged herein.

III.

Defendant, *in rem*, 62326 Olive Barber Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and improvements, represents proceeds traceable to an exchange for controlled substances in violation of 21 U.S.C. § 801, *et. seq.*, and is forfeitable to the United States pursuant to the provisions of 21 U.S.C. § 881(a)(6), as more particularly set forth in the declaration of Larry Gloth, Senior Inspector, Deputy U.S. Marshal, United States Marshals Service, marked as Exhibit A, attached and fully incorporated herein by this reference.

COUNT THREE

I.

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 18 U.S.C. §1956; 18 U.S.C. § 981; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Count One, paragraph II is re-alleged herein.

III.

Defendant, *in rem*, 62326 Olive Barber Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and improvements, represents real property involved in violations of Title 18 U.S.C.

Section 1956 and is forfeitable to the United States pursuant to the provisions of 18 U.S.C. § 981(a)(1)(A), as more particularly set forth in the declaration of Larry Gloth, Senior Inspector, Deputy U.S. Marshal, United States Marshals Service, marked as Exhibit A, attached and fully incorporated herein by this reference.

COUNT FOUR

I.

This Court has subject matter jurisdiction, *in rem* jurisdiction, and venue pursuant to 31 U.S.C. § 5324; 31 U.S.C. § 5317; 28 U.S.C. §§ 1345, 1355, 1356, and 1395; and 19 U.S.C. § 1610.

II.

Count One, paragraph II is re-alleged herein.

III.

Defendant, *in rem*, 62326 Olive Barber Road, Coos Bay, Coos County, State and District of Oregon, real property with buildings, appurtenances and improvements, represents real property involved in violations of 31 U.S.C. § 5324 and is forfeitable to the United States pursuant to the provisions of 31 U.S.C. § 5317(c)(2), as more particularly set forth in the declaration of Larry Gloth, Senior Inspector, Deputy U.S. Marshal, United States Marshals Service, marked as Exhibit A, attached and fully incorporated herein by this reference.

WHEREFORE, plaintiff, United States of America, prays that due process issue to enforce the forfeiture of defendant, *in rem*, real property commonly known as 62326 Olive Barber Road, Coos Bay, Coos County, State and District of Oregon; that due notice be given to all interested persons to appear and show cause why

forfeiture of this defendant, *in rem*, should not be decreed; that due proceedings be had thereon; that this defendant be forfeited to the United States; that the plaintiff United States of America be awarded its costs and disbursements incurred in this action.


Respectfully submitted this 7th day of November, 2012.

S. AMANDA MARSHALL
United States Attorney

/s/ Amy E. Potter
AMY E. POTTER
Assistant United States Attorney

VERIFICATION

I, LARRY GLOTH, declare, under penalty of perjury, pursuant to the provisions of 28 U.S.C. Section 1746, that I am a Senior Inspector with the United States Marshals Service and that the foregoing Complaint *in rem* for Forfeiture is made on the basis of information officially furnished and upon the basis of such information the Complaint *in rem* for Forfeiture is true as I verily believe.



LARRY GLOTH
Senior Inspector
United States Marshals Service